



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Luc R. Mongeon; Jesus Casas- Bejar; Toby Markowitz; Daisy P. Cross; Janelle Blum; Michael Ebert; Timothy G. Laske Confirmation No. 2842

Serial No.: 10/663,570

Filed: September 15, 2003 Customer No.: 28863

Examiner: Unknown

Group Art Unit: 3762 Docket No.: 1023-203US01

Title: DELIVERING GENETIC MATERIAL TO A STIMULATION SITE

CERTIFICATE UNDER 37 CFR 1.8: I hereby certify that this correspondence is being deposited with the United States Post Service, as First Class Mail, in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on March 22, 2004.

By: Shirley A. Bellach
Name: Shirley A. Bellach

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

Applicants submit the references listed on the attached form PTO-1449. This statement is being filed, to the best of Applicants' knowledge, before the receipt of a first Office Action on the merits.

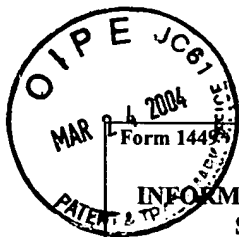
Applicants have enclosed a copy of each article cited and each foreign document cited. Copies of the U.S. patents are not enclosed as this application was filed after June 30, 2003.

Respectfully submitted,

Date: 3-22-04

Shumaker & Sieffert, P.A.
8425 Seasons Parkway, Suite 105
St. Paul, Minnesota 55125
Phone: (651) 735-1100
Fax: (651) 735-1102

By: Jason D. Kelly
Reg. No. 54,213



| | | |
|--|---|-----------------------------------|
| INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary) | Docket Number: 1023-203US01 | Application Number: 10/663,570 |
| | Applicant: Luc R. Mongeon; Jesus Casas-Bejar; Toby Markowitz; Daisy P. Cross; Janelle Blum; Michael Ebert; Timothy G. Laske | |
| | Filing Date: September 15, 2003 | Group Art Unit: 3762 |
| | Examiner Name: Unknown | |

U.S. PATENT DOCUMENTS

| Examiner Initial | Document Number | Issue/Document Publication Date | Name | Filing Date If Appropriate |
|------------------|-----------------|---------------------------------|------------------|----------------------------|
| | 6,238,429 B1 | 05/29/01 | Markowitz et al. | |
| | 6,385,491 B1 | 05/07/02 | Lindemans et al. | |
| | 6,567,705 B1 | 05/20/03 | Stokes et al. | |
| | 2002/0061589 A1 | 05/23/02 | King et al. | |
| | 2003/0050259 A1 | 03/13/03 | Blatt et al. | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

FOREIGN PATENT DOCUMENTS

| Examiner Initial | Document Number | Publication Date | Country | Translation | |
|------------------|-----------------|------------------|---------|-------------|----|
| | | | | Yes | No |
| | WO 01/68814 A2 | 09/20/2001 | PCT | | |
| | WO 02/19966 A2 | 03/14/2002 | PCT | | |
| | WO 02/24248 A1 | 03/28/2002 | PCT | | |
| | | | | | |

OTHER DOCUMENTS (Including Authors, Title of Item, Page(s), Vol/Issue No., Publisher, Place of Publication)

| | |
|--|--|
| | Qu et al., "Expression and Function of a Biological Pacemaker in Canine Heart," pp. 1106-1109, 2003, http://www.circulationaha.org |
| | Miake et al. "Biological packemaker created by gene transfer," Brief Communications. Nature, Vol. 419, pp. 132-133, 2002. http://www.nature.com/nature |
| | Anchordoquy et al., "Maintenance of Transfection Rate and Physical Characterization of Lipid/DNA Complexes after Freeze-drying and Rehydration," Archives of Biochemistry of Biophysics, Vol. 348, No. 1, pp. 199-206, 1997. |
| | Pakkanen et al., "Periadventitial lacZ gene transfer to pig carotid arteries using a biodegradable collagen collar or a wrap of collagen sheet with adenoviruses and plasmid-liposome complexes," The Journal of Gene Medicine 2, pp. 52-60, 2000. |

EXAMINER**Date Considered**

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.